

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BETTY SCALLY, Independent Executor )  
of the Estate of John Scally, deceased, )  
  )  
Plaintiff,                                 )  
   )  
v.   )      No. 03-cv-4208-JPG  
   )  
VETERANS ADMINISTRATION and )  
UNITED STATES OF AMERICA,             )  
   )  
Defendants.                                 )

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that Count 1 of this case is dismissed without prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that judgment on Counts 2 and 3 is entered in favor of defendants Veterans Administration and the United States of America and against plaintiff Betty Scally, independent executor of the estate of John Scally, deceased, and that Counts 2 and 3 are dismissed with prejudice.

**DATED: February 7, 2006**

**NORBERT JAWORSKI**

**s/ Judith Prock, Deputy Clerk**

**Approved:**   s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**